

REMARKS

In accordance with the foregoing, claims 1 and 6-8 have been amended and claims 13-15 have been added; thus claims 1-3, 6-8 and 13-15 are pending and under consideration.

Claim Objection

In the January 26, 2005 Office Action (hereafter "Office Action") on pages 2-3, the Examiner objected to claims 1 and 7 for informalities. Claims 1 and 7 have been amended and it is respectfully submitted that the informalities cited by the Examiner concerning claims 1 and 7 are now corrected and no longer subject to misinterpretation. It is respectfully requested that the objections be withdrawn.

Rejections under 35 U.S.C. § 112, Second Paragraph

In the Office Action on page 3, claim 10 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The rejection of claim 10 is moot because claim 10 has been canceled.

Rejections under 35 U.S.C. § 102(e)

In the Office Action, claims 1-12 were rejected under 35 U.S.C. 102(e) as being anticipated by Chiu (U.S. 6,505,253). The rejections are respectfully traversed.

Independent claim 1 is directed to delivering information in the form of a plurality of groups of data packets to a plurality of delivery destinations and "determining a number of times each of the groups of data packets should be "transmitted repetitively before the delivery destinations respond to the delivery" (claim 1, lines 7-8), as described at page 6, lines 8-27 and page 7, lines 1-7 of the application. In contrast, Chiu at column 2, lines 57-67 discloses that lost messages are retransmitted when the system is notified that a selected message is not received. Nothing has been cited or found in Chiu that teaches or suggests the limitation recited above from claim 1. Thus, it is respectfully requested that the 35 U.S.C. § 102(e) rejection of claim 1 be withdrawn. Independent claim 8 is a method claim similar in scope to the computer-readable record medium of independent claim 1; therefore, claim 8 is allowable for the same reasons as claim 1.

Dependent claims 2, 3, 6 and 7 are allowable for the same reasons as claim 1.

It is respectfully requested that the 35 U.S.C. § 102(e) rejections of claims 1-3 and 6-8 be withdrawn.

New Claims

Newly added independent claim 13 recites "calculating a total response processing time" (claim 13, line 11) and "delivering control information including the total response processing time, to the delivery destinations so that the delivery destinations will respond ... after each group of data packets are received" (claim 13, lines 12-14). No suggestion of these operations has been cited or found in Chiu to enable "control information" to be used by receivers of "a multicast" (claim 13, line 2).

Furthermore, claims 14 and 15 which depend from claim 13 recite "repetitively delivering the groups before the delivery destinations respond to delivery" (claim 14, line 2); and where the "number of times each of the groups ... is delivered is greater than one" (claim 15, lines 2-3) which further define how the control information is delivered during a multicast. Therefore, it is submitted that claims 14 and 15 further patentably distinguish over the applied art.

CONCLUSION

It is submitted that Chiu does not teach or suggest the features of the claimed invention. Thus, it is submitted that claims 1-3, 6-8 and 13-15 are in condition for allowance.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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By: John L. Young
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